

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2022-138-T - ORDER NO. 2022-323

MAY 20, 2022

IN RE: Application of Bill Sanders Moving,	)	ORDER APPROVING
Incorporated to Amend Tariff (See Docket	)	TARIFF AMENDMENTS
No. 1997-10-T)	)	

**I. INTRODUCTION**

This matter comes before the Public Service Commission of South Carolina (Commission) by the Application of Bill Sanders Moving, Inc. (Bill Sanders Moving) seeking approval to amend its tariff. We approve the application as set forth in this order.

**II. FACTS AND PROCEDURAL HISTORY**

Bill Sanders Moving, holder of a Class E Certificate of Public Convenience and Necessity to provide household goods moving services, filed an application on April 8, 2022, seeking amendments to its tariff.

On April 14, 2022, upon request from the Commission's Clerk's Office, Bill Sanders Moving filed a list of charges representing the company's current tariff:

The South Carolina Office of Regulatory Staff (ORS), a party of record pursuant to section 58-41-10(B) of the South Carolina Code of Laws (Supp. 2021), notified the Commission on April 14, 2022, Donna L. Rhaney, Esquire, and Benjamin P. Mustian, Esquire, would appear on behalf of ORS in this docket.

On May 3, 2022, Bill Sanders Moving provided the following reasons to the Commission for making its request to amend its rates and charges:

To stay in business and to continue operations, we must pay our employees more per hour. With the rise of wages in our company, we must also increase the cost of labor. We have made sure to stay under our Greenville competition's price, ensuring our clients still get the best price and great service.

On May 5, 2022, the Commission took action to approve the request of Bill Sanders Moving to amend its tariff and to require the company to provide a final, amended tariff in proper format incorporating the amendments. More specifically, the Commission approved the following motion:

I move the Commission approve the application of Bill Sanders Moving to amend its current tariff. The company provided sufficient justification for its request. I further move that Bill Sanders Moving is required to provide the Commission with a final, amended tariff in proper format, incorporating the amendments, no later than ten (10) days from service of this Order. The Commission further directs that Bill Sanders Moving cannot use or charge any new rate or fee as proposed by this request to amend its tariff until the household mover files a copy of its new tariff, as amended, with the Commission.

### **III. LAW**

The Commission is specifically authorized to regulate carriers of household goods, and to set their rates and charges: “[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal.” S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: “[t]he commission shall regulate every motor carrier in this State and fix or approve the rates, fares, charges, classifications, and regulations pertaining to each motor carrier . . . . The rates once established remain in effect until such time when the commission determines the rates are unreasonable.” S. C. Code Ann § 58-23-1010 (2015).

The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.

As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

S.C. Code Ann. Regs. 103-191 (2012).

“Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N . . . shall be just and reasonable.” S.C. Code Ann. Regs. 103-192. Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge . . . a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198 (2012).

Every motor carrier of property operating under a Certificate of PC&N and FWA shall provide safe and adequate service, equipment, and facilities for the transportation of property, and shall establish, observe, and enforce just and reasonable

regulations and practices relating thereto and to the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property.

S.C. Code Ann. Regs. 103-195 (2012).

In the exercise of its power to prescribe just and reasonable rates for the transportation of passengers or property by common carriers operating under a Certificate of PC&N, the Commission may give due consideration, among other factors, to the need in the public interest of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service and to the need of such carriers for revenues sufficient to enable them, under economical and efficient management, to provide such service.

S.C. Code Ann. Regs. 103-194 (2012).

#### **IV. ANALYSIS**

After a review of the justification submitted by Bill Sanders Moving and a review of the application and the law, we approve the application as reasonable. Bill Sanders Moving provided sufficient information to justify its request. *See*, Letter from Bill Sanders Moving, dated May 3, 2022. However, we require the company prepare and file a final amended tariff in proper format, incorporating the approved amendments, before the company may charge any amended rates or charges.

#### **V. FINDINGS OF FACT**

1. Bill Sanders Moving, Inc. provided justification to the Commission for the request to amend its tariff.
2. After review of the entire record, we find the proposed amendments to the tariff requested by Bill Sanders Moving, Inc. are reasonable.

3. We find Bill Sanders Moving, Inc. is required to file a final amended tariff before the company may charge the amended rates and charges.

## **VI. CONCLUSIONS OF LAW**

1. The Commission has the authority to approve amendments to a motor carrier's tariffs as set forth in section 58-23-1010 of the South Carolina Code of Laws and Regulation 103-191 of the South Carolina Code of State Regulations.

2. The proposed amendments to the tariff are reasonable pursuant to section 58-23-1010 and Regulations 103-191, 103-192, and 103-195.

## **VII. ORDERING PROVISIONS**

### **IT IS THEREFORE ORDERED THAT:**

1. The Application of Bill Sanders Moving, Inc. to amend its tariff is approved.

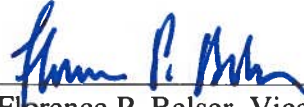
2. Bill Sanders Moving, Inc. shall provide the Commission with a final amended tariff in proper format, incorporating the amendments, no later than ten (10) days from the date of service of this Order.

3. Bill Sanders Moving, Inc. cannot use or charge any new rate or fee as proposed by this request to amend its tariff until the household goods mover files a copy of its new tariff, as amended, with the Commission.

4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



  
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Florence P. Belser, Vice Chair  
Public Service Commission of  
South Carolina